

**IN THE UNITED STATES BANKRUPTCY COURT  
IN THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE:  
TERRY S. OSBORN  
1448 SANDERS ROAD**

**BANKRUPTCY NO: 21-12297-JDW**

**SARDIS, MS 38666-**

**NOTICE OF TRUSTEE'S MOTION TO DISMISS**

Should any party receiving this notice respond or object to said motion, such response or objection is required to be filed on or before **February 13, 2023**, using the CM/ECF system or with the Clerk of this Court at the following address:

Shallanda J. Clay, Clerk of Court  
U. S. Bankruptcy Court  
Northern District of Mississippi  
703 Highway 145 North  
Aberdeen, MS 39730

A copy of the response or objection must be served on the undersigned Chapter 13 Trustee. If no responses or objections are filed, the Court may consider said motion immediately after the time has expired. In the event a written response or objection is filed, the Court will notify you of the date, time and place of the hearing thereon.

**CERTIFICATE OF SERVICE**

I, Locke D. Barkley, the Chapter 13 Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

Dated: January 19, 2023

LOCKE D. BARKLEY, TRUSTEE

/s/ Locke D. Barkley\_\_\_\_\_  
Locke D. Barkley  
Chapter 13 Trustee  
6360 I-55 North, Suite 140  
Jackson, MS 39211

**IN THE UNITED STATES BANKRUPTCY COURT  
IN THE NORTHERN DISTRICT OF MISSISSIPPI**

IN RE:

CHAPTER 13 CASE NO.

TERRY S. OSBORN

21-12297-JDW

**MOTION TO DISMISS**

COMES NOW Locke D. Barkley, Chapter 13 Trustee (the “Trustee), and files this Motion to Dismiss (the “Motion”) and in support thereof states as follows:

1. As of January 13, 2023, the Debtor is delinquent in plan payments in the amount of **\$4,755.00** through **January, 2023**. Payments continue to accrue as required under the plan.
2. The Trustee submits that this case should be dismissed unless a responsive pleading is timely filed and/or unless the Debtor fails to fully cure all delinquency in the plan payments prior to the response deadline stated with the Notice.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that this Court enter its order granting the Motion. The Trustee prays for other such general and specific relief as this Court may deem just.

DATED: January 19, 2023

Respectfully submitted,  
**LOCKE D. BARKLEY**  
**CHAPTER 13 TRUSTEE**

BY: /s/ Locke D. Barkley  
Chapter 13 Trustee  
6360 I-55 North, Suite 140  
Jackson, Mississippi 39296

**CERTIFICATE OF SERVICE**

I, Locke D. Barkley, the Chapter 13 Trustee, do hereby certify that I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and I hereby certify that I either mailed by United States Postal Service, first class, postage prepaid, or electronically notified through the CM/ECF system, a copy of the above and foregoing to the Debtor, attorney for the Debtor, the United States Trustee, and other parties in interest, if any, as identified below.

**DATED: 01/19/2023**

/s/ Locke D Barkley  
**LOCKE D. BARKLEY**  
**CHAPTER 13 TRUSTEE**